

TRIBUTE TO SENATOR PAT
MOYNIHAN

Mr. MURKOWSKI. Mr. President, I listened with great attention to my friend, Senator DODD, who I think expresses the feelings that we all have for Senator MOYNIHAN. I first met Senator MOYNIHAN before I came to the Senate. He visited Alaska, my home. Nobody could suggest that he is anything but awe-inspiring, enthusiastic, and interested, the type who leaves one after a short meeting with the feeling that here indeed is an extraordinary individual, a true statesman, a visionary. And the type of individual who we have all had an opportunity to share and enjoy and love during his tenure here.

I extend my heartiest best wishes to Senator MOYNIHAN and his family as he departs this body, and it is with fondness for the contributions he has made. He has made this a much better body because of his contributions. I share the sentiments of my colleague from Connecticut.

NUCLEAR WASTE IN CALIFORNIA

Mr. MURKOWSKI. Mr. President, let me remind those of you who have followed the issue of energy in this country and the contribution of the nuclear industry of 20 percent of the electricity that is generated in this Nation, with an observation that I made some time ago, and that is this industry is strangling on its waste as a consequence of the inability of the Federal Government to honor the sanctity of a contract made some years ago—that the Government would take that waste beginning in 1998. The ratepayers, over the last decades, have extended about \$11 billion to the Federal Government to ensure that the Federal Government would be financially able to take the waste.

The bottom line is that 1998 has come and gone, and the Federal Government is in violation of its contractual commitment. As a consequence, litigation is pending for this breach of contract, subjecting the taxpayers to somewhere between \$40 billion and \$60 billion in liability.

Now, I stated some time ago on this issue that if you throw the waste up in the air, it has to come down somewhere. Nobody wants it. I was wrong on that. It was thrown up in the air and now it is coming down. Where is it coming down? Well, it is coming down in California, in a place called San Onofre. That is near La Jolla, north of San Diego. It is on the California coast where there are decommissioned and operating nuclear plants.

I ask unanimous consent that an article from the Los Angeles Times of today, November 1, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, Nov. 1, 2000]

APPROVAL OF NUCLEAR WASTE PLAN
ADVOCATED

(By Seema Mehta)

Staff at the state's top coastal agency recommended approval this week of Southern California Edison's plans to store thousands of spent nuclear fuel rods at San Onofre nuclear power plant, at least until 2050.

Environmentalists say the California Coastal Commission will be approving the creation of a coastal nuclear waste dump just south of the Orange County border, but the agency's staff says it has no choice under federal law.

"The state of California is preempted from imposing upon nuclear power plant operators any regulatory requirements concerning radiation hazards and nuclear safety," the staff for the coastal commission emphasized in bold letters in its report.

A federal official said that there was no risk from the closely monitored nuclear waste, and that environmentalists were needlessly sounding alarms.

"There's a lot of fear among people who really don't understand the nature of the material," said Breck Henderson, a spokesman with the U.S. Nuclear Regulatory Commission. "Everyone thinks nuclear waste is 55-gallon drums full of green gorb that we're going to throw in a hole in the ground. They think the drums will rust away and, pretty soon, the water in their tap glows green when it comes out. That's just not the way it is."

The plant's two remaining operating reactors, which provide energy for 2.5 million homes from Santa Barbara to San Diego, are due to shut down by 2022. A smaller reactor was shut down in 1992. By law, the U.S. Department of Energy must safely dispose of all the site's fuel rods, which contain spent uranium and will be radioactive for thousands of years.

But no high-level radioactive dump exists yet, and controversial plans for a possible site in the Yucca Mountains in Nevada are moving at a snail's pace. Feasibility studies and other technical evaluations of the remote Nevada site, 237 miles northeast of Los Angeles and 90 miles northwest of Las Vegas, have been so delayed that activists worry that temporary storage facilities at San Onofre will become a de facto permanent, West Coast repository for nuclear waste.

"Nothing about storing nuclear waste is temporary," said Mark Massara, Sierra Club's coastal programs director. "Without any planning oversight or review, we're establishing a nuclear waste dump on one of most heavily visited beaches in all of Southern California."

Henderson of the nuclear commission conceded that Yucca Mountain is a "political football, I don't know too many people who expect to start shipping fuel there [soon]."

However, he insisted that the federal government has to take responsibility for the fuel, and it will eventually. But with a long line of utilities across the country waiting to get rid of nuclear waste, all sides agree there will be nuclear waste at San Onofre for a good half-century.

Spent nuclear fuel is stored in metal containers under water in cooling pools at the plant. They will be wrapped in two layers of steel and moved to reinforced concrete casks, said Ray Golden, spokesman for San Onofre.

This method, known as dry casking, is considered safer than the cooling pools because it requires less maintenance, leaving less room for error, Henderson said.

But activists worry that the casks will be housed next to working reactors, and could be vulnerable to terrorist attack.

Henderson said antinuclear groups often use such scare tactics. He said his agency would never allow on-site storage if it were unsafe. The casks will weigh more than 100 tons, and could withstand shots from anti-tank weapons.

"You'd have to hug it for a year to get the same radiation as an X-ray," he said.

State coastal commissioners can't debate any of these issues.

"The commission would have liked the ability to look at it, to review whether this was appropriate," said commission Chairwoman Sam Wan. "But we didn't have the legal right to do so."

Mr. MURKOWSKI. Mr. President, this article explains that "The California Coastal Commission will be approving the creation of a coastal nuclear waste dump just south of the Orange County border."

The repository will be at the San Onofre Nuclear Power Plant, and thousands of spent nuclear fuel rods would be stored there by Southern California Edison until the year 2050. That is 50 years, Mr. President. Isn't it interesting that the State of California, which has refused to site even a low-level nuclear waste storage facility in the Mojave Desert is now going to be home to a high-level nuclear waste dump near the beaches of southern California?

Referring briefly to the proposed Ward Valley waste facility, which would handle medical waste and other low-level waste—the Secretary of the Interior, Bruce Babbitt, stopped this site from becoming a reality. As a consequence, that waste is currently stored in hospitals and research facilities and universities—generally, anywhere near where the waste is created. A lot of it is medical waste and other low-level waste associated with diagnostic tests, cancer treatment and other types of medical and scientific research. But it is all over the place. It is in places that weren't designed to store that waste long-term.

However, national environmental groups and Hollywood activists made Ward Valley a rally cry, claiming water would be contaminated by the waste and seep through the desert and ultimately into the Colorado River. This is low-level material that we are talking about. It involves clothing, like gloves and coveralls from utility workers, material from medical research and any other items that have come into contact with radioactive materials. This low-level waste is produced at hospitals, powerplants, and research facilities that store this waste and periodically transfer it to waste facilities in South Carolina or Utah.

However, these same groups apparently are powerless to stop the San Onofre storage. Why? Because the responsibility to regulate high-level waste belongs to the Federal Government, not the State. And since the Federal Government has not done its job, the bottom line is that there is no Federal repository for high-level nuclear waste, as promised by the U.S. Government. It is an obligation that has been unfulfilled by the eight years of the Clinton-Gore administration,